



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Set Public Hearing Regarding the Neuharth North Addition
Annexation/Reorganization

MEETING DATE: March 18, 1992

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council, by motion action. adopt Resolution No. 92-42 directing the City Clerk. pursuant to the State of California Government Code Section 5700 et seq. to set a public hearing on April 1, 1992 to consider the Neuharth North Addition Reorganization including annexation to the City of Lodi and detachment from the Woodbridge Fire District and the SJC Resource Conservation District.

BACKGROUND INFORMATION: On December 4, 1991, the City Council adopted Resolution No. 91-223 initiating annexation/reorganization proceedings on the subject parcel.

Following a public hearing regarding the matter held February 21, 1992. the Local Agency Formation Commission of San Joaquin County determined and ordered the following:

- Section 1. The Negative Declaration adopted by the City of Lodi. as lead agency, was reviewed and considered.
- Section 2. The above entitled reorganization is approved subject to the terms and conditions contained herein.
- Section 3. The boundaries are hereby approved as submitted, said boundaries being set forth in Exhibit A.
- Section 4. The affected territory is uninhabited.
- Section 5. The City of Lodi is designated as the conducting authority and the City Council is authorized to initiate proceedings for uninhabited reorganization in accordance with Section 5700 et seq. of the Government Code.

Attached is a copy of Resolution No. 852 entitled, "Before the Local Agency Formation Commission of San Joaquin County Resolution Approving Neuharth North Reorganization (LAFC 29-91) Including Annexation to the City of Lodi and Detachment from the Woodbridge Fire District and the SJC Resource Conservation District".

APPROVED: _____

THOMAS A. PETERSON
City Manager




recycled paper

Neuharth North Addition Annexation/Reorganization
March 18, 1992
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On November 20, 1991, the City Council adopted Ordinance Nos. 1535, 1536 and 1538 which pretoned the subject parcels R-2. Single-Family Residential and PD(28), Planned Development District No. 28.

This annexation/reorganization did not have 100% Owner consent.

FUNDING: Not applicable.


Alice M. Reimche
City Clerk

AMR/jmp

Attachments

EXHIBIT A

January 23, 1992

NEUHARTH NORTH ANNEXATION TO THE CITY OF LODI San Joaquin County, California

A portion of the east half of Section 13, Township 3 North, Range 6 East, Mount Diablo Base and Meridian. more particularly described **as** follows:

Beginning at a point on the east line of 60 foot wide Stockton Street, bearing South $0^{\circ}06'00''$ East, 447.25 feet from the north line of the northeast quarter of said Section 13, being on the Lodi City Limit line; thence along said City Limit line the following six (6) courses: (1) North $87^{\circ}06'00''$ East, 661.55 feet to the west line of Lot 10 of A. J. LARSON'S SUBDIVISION (the map or plat of which is filed in Book of Official Maps and Plats, Volume 2, page 4, San Joaquin County Records), (2) southerly along said west line and along the west line of Lot 11 of said SUBDIVISION, 1297.81 feet to the north line of 50 foot wide Almond Drive, (3) North $86^{\circ}44'00''$ East along said north line, 33 feet, more or less, to the northerly production of the west line of that certain 41.63 acre parcel as shown on Record of Survey, filed in Book of Surveys, Volume 28, page 3, San Joaquin County Records, (4) Southerly along said northerly production and west line 914.10 feet to the north line of that certain 24.68 acre parcel of land as shown on Record of Survey, filed in Book of Surveys, Volume 32, page 34, San Joaquin County Records, (5) North $86^{\circ}55'32''$ East along said north line, 302.96 feet to the northeast corner of said 24.68 acre parcel and (6) South $00^{\circ}40'50''$ East along the east line of said 24.68 acre parcel, 528.00 feet; thence leaving said City Limit line, continuing along said east line South $0^{\circ}40'50''$ East, 560.74 feet to the southeast corner thereof; thence along the south line of said 24.68 acre parcel the following three (3) courses: (1) South $87^{\circ}22'20''$ West 495.00 feet (2) South $0^{\circ}40'50''$ East, 4.18 feet and (3) South $87^{\circ}22'20''$ West, 499.34 feet to the southwest corner of said 24.68 acre parcel, being on the east line of Stockton Street, being also on aforesaid City Limit Line; thence along said **east** line and said City Limit line the following five (5) courses: (1) North $0^{\circ}41'30''$ West, 834.44 feet. (2) North $89^{\circ}18'30''$ East, 20.00 feet, (3) North $0^{\circ}41'30''$ West, 1624.50 feet; (4) westerly 20.00 feet and (5) northerly, 833.40 feet to the point of beginning.

Containing 58 acres, more or less.

RECOMMENDED APPROVAL AS TO DESCRIPTION BY.

Robert D. Schramm
Chief Deputy County Surveyor

APPROVED BY:

Wendy M. Heath
County Surveyor

RESOLUTION NO. 852

BEFORE THE LOCAL AGENCY FORMATION COMMISSION OF SAN JOAQUIN
COUNTY RESOLUTION APPROVING NEUHARTH NORTH REORGANIZATION
29-91) Including Annexation To The City Of Lodi And Detachment From
The Woodbridge Fire District And The SJC Resource Conservation
District

WHEREAS, the above entitled proposal was initiated by
resolution of the City of Lodi, and on January 3, 1992, the
Executive Officer certified the application filed for processing in
accordance with the Local Government Reorganization Act; and,

WHEREAS, the Commission held a public hearing on the proposed
reorganization on February 21, 1992, in the Board of supervisors
Chambers, County Courthouse, pursuant to notice of hearing which
was published, posted and mailed in accordance with State law; and,

WHEREAS, at said hearing the Commission heard and received
evidence, both oral and documentary, submitted in favor of and in
opposition to the proposed reorganization and all persons present
were given and opportunity to be heard.

NOW THEREFORE, the Local Agency Formation Commission of San
Joaquin County DOES HEREBY RESOLVE, DETERMINE, AND ORDER as
follows:

Section 1. The Negative Declaration adopted by the City of
Lodi, as lead agency, was reviewed and considered.

Section 2. The above entitled reorganization is approved
subject to the terms and conditions contained herein.

Section 3. The boundaries are hereby approved as submitted,
said boundaries being set forth in Exhibit A.

Section 4. The affected territory is inhabited.

Section 5. The City of Lodi is designated as the
conducting authority and the City Council is authorized to
initiate proceedings for inhabited reorganization in accordance
with Section 57000 et seq. of the Government Code.

Section 6. The Executive Officer is hereby authorized and
directed to mail and file certified copies of this resolution as
required by Section 56853 of the Government Code

Resolution Yo. 852

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PASSED AND ADOPTED this 21st day of February 1992, by the following vote:

AYES: Commissioners Ennis, Simas, Nelson, Wilhoit and Chair Darrah

NOES: None

ABSTAIN: Commissioner Barber

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of San Joaquin, California, this 24th day of February, 1992.

By: [Signature]
COUNTY CLERK
Date: 2/24/92

for [Signature]
Joan Darrah, Chair
Local Agency Formation Commission
of San Joaquin County

RESOLUTION NO. 92-42
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A RESOLUTION OF THE LODI CITY COUNCIL
DIRECTING THE CITY CLERK, PURSUANT TO STATE OF CALIFORNIA GOVERNMENT
CODE SECTION 57000 ET SEQ. TO SET A PUBLIC HEARING TO CONSIDER THE
"NEUHARTH NORTH ADDITION" ANNEXATION/REORGANIZATION, INCLUDING
ANNEXATION TO THE CITY OF LODI AND DETACHMENT FROM THE WOODBRIDGE FIRE
DISTRICT AND THE NORTHERN SAN JOAQUIN WATER CONSERVATION DISTRICT.

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YHEREAS, the above-entitled proposal for the Neuharth North Reorganization, including annexation to the City of Lodi and detachment from the Woodbridge Fire District and the Northern San Joaquin Water Conservation District was initiated by the City of Lodi with adoption of Resolution No. 91-223 entitled "A Resolution of, the Lodi City Council For Application to the San Joaquin County Local Agency Formation Commission in the Matter of the Proposed Neuharth North Addition", Including the Detachment of Certain Territory Within the Area Proposed For Annexation to the City of Lodi" on December 4, 1991, and on January 3, 1992, the Local Agency Formation Commission of San Joaquin Executive Officer certified the application filed for processing in accordance with the Local Government Reorganization Act; and

UHEREAS. following a public hearing regarding the matter held on February 21, 1992, the Local Agency Formation Commission of San Joaquin County adopted Resolution No. 852 - Resolution Approving the Neuharth North Reorganization (LAFC 29-01) Including Annexation to the City of Lodi and Detachment from the Woodbridge Fire District and the Northern San Joaquin Water Conservation District, determining and ordering the following:

1. The Negative Declaration adopted by the City of Lodi. as lead agency, was reviewed and considered.
2. The above entitled reorganization is approved subject to the terms and conditions contained herein.
3. The boundaries are hereby approved as submitted, said boundaries being set forth in Exhibit A.
4. The affected territory is uninhabited.
5. The City of Lodi is designated as the conducting authority and the City Council is authorized to initiate proceedings for uninhabited reorganization in accordance with Section 57000 et seq. of the Government Code.
6. The Executive Officer is hereby authorized and directed to mail and file certified copies of this resolution as required by Section 56853 of the Government Code.

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council does hereby direct the City Clerk, pursuant to State of California Government Code Section 57000 et seq. to set a public hearing for Wednesday, April 1, 1992 at 7:30 p.m. to consider the Neuharth North Reorganization including annexation to the City of Lodi and detachment from the Woodbridge Fire District and the Northern San Joaquin Water Conservation District.

Dated: March 18, 1992

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I hereby certify that Resolution No. 92-42 was passed and adopted by the Lodi City Council in a regular meeting held March 18, 1992 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Alice M. Reimche
City Clerk

92-42

-2-

January 23, 1992

A portion of the east half of Section 13, Township 3 North, Range 6 East, Mount Diablo Base and Meridian, more particularly described as follows:

Containing 58 acres, more or less.

Robert D. Dehmanek
Chief Deputy County Surveyor

Henry M. Thayer
County Surveyor

DECLARATION OF MAILING

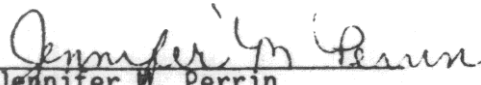
On March 19, 1992 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 19, 1992, at Lodi, California.

Alice M. Reimche
City Clerk



Jennifer M. Perrin
Deputy City Clerk

RESOLUTION NO. 92-51

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A RESOLUTION OF THE LODI CITY COUNCIL
DIRECTING THE CITY CLERK, PURSUANT TO STATE OF CALIFORNIA GOVERNMENT
CODE SECTION 57000 ET SEQ. TO SET A PUBLIC HEARING TO CONSIDER THE
"NEUHARTH NORTH ADDITION" ANNEXATION/REORGANIZATION, INCLUDING
ANNEXATION TO THE CITY OF LODI AND DETACHMENT FROM THE WOODBRIDGE FIRE
DISTRICT AND THE SJC RESOURCE CONSERVATION DISTRICT

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WHEREAS, the above-entitled proposal for the Neuharth North Reorganization, including annexation to the City of Lodi and detachment from the Woodbridge Fire District and the SJC Resource Conservation District was initiated by the City of Lodi with adoption of Resolution No. 91-223 entitled "A Resolution of the Lodi City Council For Application to the San Joaquin County Local Agency Formation Commission in the Matter of the Proposed 'Neuharth North Addition', Including the Detachment of Certain Territory Within the Area Proposed For Annexation to the City of Lodi" on December 4, 1991, and on January 3, 1992, the Local Agency Formation Commission of San Joaquin Executive Officer certified the application filed for processing in accordance with the Local Government Reorganization Act; and

WHEREAS, following a public hearing regarding the matter held on February 21, 1992, the local Agency Formation Commission of San Joaquin County adopted Resolution No. 852 - Resolution Approving the Neuirth North Reorganization (LAFC 29-91) Including Annexation to the City of Lodi and Detachment from the Woodbridge Fire District and the SJC Resource Conservation District, determining and ordering the following:

1. The Negative Declaration adopted by the City of Lodi. as lead agency, was reviewed and considered.
2. The above entitled reorganization is approved subject to the terms and conditions contained herein.
3. The boundaries are hereby approved as submitted. said boundaries being set forth in Exhibit A.
4. The affected territory is uninhabited.
5. The City of Lodi is designated as the conducting authority and the City Council is authorized to initiate proceedings for uninhabited reorganization in accordance with Section 57000 et seq. of the Government Code.
6. The Executive Officer is hereby authorized and directed to mail and file certified copies of this resolution as required by Section 56853 of the Government Code.

NOU, THEREFORE, BE IT RESOLVED, that the Lodi City Council does hereby direct the City Clerk, pursuant to State of California Government Code Section 57000 et seq. to set a public hearing for
RES9251/TXTA.02J

Wednesday, April 1, 1992 at 7:30 p.m. to consider the Neuharth North Reorganization including annexation to the City of Lodi and detachment from the Woodbridge Fire District and the SJC Resource Conservation District.

Dated: March 18, 1992

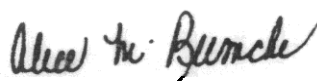
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I hereby certify that Resolution No. 92-51 was passed and adopted by the Lodi City Council in a regular meeting held March 18, 1992 by the following vote:

Ayes: Council Members - Hinchman, Pennino, Sieglock, Snider
and Pinkerton (Mayor)

Noes: Council Members - None

Absent: Council Members - None


Alice M. Reimche
City Clerk

92-51

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EXHIBIT A

January 23, 1992

NEUBARTH NORTH RNNEXATION
TO THE CITY OF LODI
San Joaquin County, California

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Beginning at a point on the east line of 60 foot wide Stockton Street, bearing South $0^{\circ}06'00''$ East, 447.25 feet from the north line of the northeast quarter of said Section 13, being on the Lodi City Limit line: thence along said City Limit line the following six (6) courses: (1) North $87^{\circ}06'00''$ East, 661.55 feet to the west line of Lot 10 of A. J. LARSON'S SUBDIVISION (the map or plat of which is filed in Book of Official Maps and Plats, Volume 2, page 4, San Joaquin County Records), (2) southerly along said west line and along the west line of Lot 11 of said SUBDIVISION, 1297.81 feet to the north line of 50 foot wide Almond Drive, (3) North $86^{\circ}44'00''$ East along said north line, 33 feet, more or less, to the northerly production of the west line of that certain 47.63 acre parcel as shown on Record of Survey, filed in Book of Surveys, Volume 28, page 3, San Joaquin County Records, (4) Southerly along said northerly production and west line 914.10 feet to the north line of that certain 24.68 acre parcel of land as shown on Record of Survey, filed in Book of Surveys, Volume 32, page 34, San Joaquin County Records, (5) North $86^{\circ}55'32''$ East along said north line, 302.96 feet to the northeast corner of said 24.68 acre parcel and (6) South $00^{\circ}40'50''$ East along the east line of said 24.68 acre parcel, 528.00 feet: thence leaving said City Limit line, continuing along said east line South $0^{\circ}40'50''$ East, 560.74 feet to the southeast corner thereof: thence along the south line of said 24.68 acre parcel the following three (3) courses: (1) South $87^{\circ}22'20''$ West 495.00 feet (2) South $0^{\circ}40'50''$ East, 4.18 feet and (3) South $87^{\circ}22'20''$ West, 499.34 feet to the southwest corner of said 24.68 acre parcel, being on the east line of Stockton Street, being also on aforesaid City Limit Line: thence along said east line and said City Limit line the following five (5) courses: (1) North $0^{\circ}41'30''$ West, 834.44 feet, (2) North $89^{\circ}18'30''$ East, 20.00 feet, (3) North $0^{\circ}41'30''$ West, 1624.50 feet; (4) westerly 20.00 feet and (5) northerly, 833.40 feet to the point of beginning.

Containing 58 acres, more or less.

RECOMMENDED APPROVAL AS TO DESCRIPTION BY:

Robert M. Schramak
Chief Deputy County Surveyor

APPROVED BY:

Henry M. Mather
County Surveyor

I 2A310SB1

NEUHARTH NORTH ADDITION
MAILING LIST
EXHIBIT B

Ronald B. Thomas
c/o R. Thomas Development Inc.
P.O. Box 1598
Lodi, CA 95241-1598

J. Jeffrey Kirst
c/o Bangs Ranch, a California Limited Part.
120 North Pleasant Street
Lodi. CA 95240

Todd R. Fujinaga
Attorney-at-Law
2010 N. First Street. Ste. 315
San Jose, CA 95131

Richard Neuharth
3861 E. Almond Drive
Lodi. CA 95240

M. Morimoto
14758 N. Stockton Street
Lodi, CA 95240

Wilbert Ruhl
3933 E. Almond Drive
Lodi. CA 95240

James Waitley
3886 E. Almond Drive
Lodi, CA 95240

August Souice
3910 E. Almond Drive
Lodi. CA 95240

Walter Stojanovic
3936 E. Almond Drive
Lodi, CA 95240

Steve Peechin
Baumbach & Piazze
323 West Elm Street
Lodi, CA 95240